

# **Zoning Board of Adjustments**



## **February 19, 2018**

**Regular Business Meeting**



# Wylie Zoning Board of Adjustment

## NOTICE OF MEETING

### Regular Meeting Agenda Monday, February 19, 2018 – 6:30 p.m. Wylie Municipal Complex – Council Chambers 300 Country Club Road, Building #100

Linda Jourdan ..... Chair  
Jason Potts ..... Vice Chair  
Robert Holcomb ..... Board Member  
Andres Gonzalez ..... Board Member  
Kevin Finnell ..... Board Member  
Robert Reynolds ..... Alternate Board Member  
Kevin Lanier ..... Alternate Board Member

Renae' Ollie ..... Planning Director  
Jasen Haskins ..... Sr. Planner  
Kevin Molina ..... Planner  
Mary Bradley ..... Administrative Assistant

*In accordance with Section 551.042 of the Texas Government Code, this agenda has been posted at the Wylie Municipal Complex, distributed to the appropriate news media, and posted on the City website: [www.wylietexas.gov](http://www.wylietexas.gov) within the required time frame. As a courtesy, the entire Agenda Packet has also been posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

*The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.*

*The Wylie Municipal Complex is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972.516.6020.*

*Hearing impaired devices are available from the City Secretary prior to each meeting.*

### CALL TO ORDER

*Announce the presence of a Quorum.*

### CONSENT AGENDA

1. Consider and act upon approval of the Minutes for the October 30, 2017 Meeting.

### REGULAR AGENDA

#### **Public Hearing**

1. Hold a public hearing to consider and act upon a request by **Noel Torres** for a Variance to Section 4.2.A.3 of the Zoning Ordinance regarding building setbacks, property located at 2001 Alanis Drive, being Tract 18 in the EC Davidson Subdivision. **ZBA 2018-01**

2. Hold a public hearing to consider and act upon a request from **Steve Gullickson** for a variance to Section 4.2.8 of PD 2005-24, to change the side setback from 10' to 7' to allow for the placement of an attached unenclosed carport on a property located at 1213 Braddock Way, Lot 4 Block A of the Braddock Place Phase I addition. **ZBA 2018-02**

## ADJOURNMENT

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## CERTIFICATION

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*I certify that this Notice of Meeting was posted on this 16th day of February, 2018 at 5:00 p.m. as required by law in accordance with Section 551.042 of the Texas Government Code and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of Wylie website: [www.wylietexas.gov](http://www.wylietexas.gov).*

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**Stephanie Storm, City Secretary**

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**Date Notice Removed**

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# Wylie Zoning Board of Adjustment

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**Minutes**  
**Zoning Board of Adjustment**  
**Monday, October 30, 2017 – 6:30 pm**  
**Wylie Municipal Complex – Council Chambers**  
**300 Country Club Road, Building 100**

## CALL TO ORDER

The Zoning Board of Adjustment was called to order at 6:30 PM and a quorum was present. Board Members present: Chair Linda Jourdan, Board Member Jason Potts, Board Member Andre Gonzalez, Board Member Robert Reynolds and Board Member Kevin Finnell.

Staff members present were: Renae' Ollie, Director of Development Services, Bret McCullough, Building Official, and Mary Bradley, Administrative Assistant.

## ELECTION OF CHAIR AND VICE CHAIR

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1. A motion to nominate Vice Chair.
2. A motion to nominate Chair.

A motion was made by Board Member Finnell and seconded by Board Member Holcomb, to nominate Board Member Potts as Vice Chair and Board Member Jourdan as Chair. Motion carried 5 – 0.

## CONSENT ITEMS

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1. Consider and act upon approval of the Minutes of the August 21, 2017 Meeting.

A motion was made by Board Member Holcomb and seconded by Vice Chair Potts, to approve the Minutes of the August 21, 2017 Meeting as submitted. Motion carried 5 – 0.

## PUBLIC HEARINGS

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### **Item 1 – ZBA 2017-10**

Hold a public hearing to consider and act upon a request from **Joey McMullin** for a variance to Section 11.3 of Planned Development 1999-32 (SF-A) requiring a minimum of 20 feet side yard setback for building, property located at 3110 Jacob Drive, Lot 11, Block H of the Creekside Estates Phase 1 Addition. **ZBA 2017-10**

### **Staff Comments**

Ms. Ollie stated that the applicant is requesting a nine (9) foot side yard setback that is adjacent to a street. The property is within the Creekside Estates Addition, and is a corner lot with the front facing Jacob Drive and the side faces Eugene Drive.

On August 28, 2017, the applicant submitted an Accessory Building permit application to construct a 582 square foot patio cover that would extend sixteen feet from the side of the house. On the site survey includes the 20 foot build line and the outline of the patio cover. The application was approved by Building Inspections on September 8, 2017. A foundation permit was also approved on September 8, 2017.

The application and foundation permit were approved in error because of the zoning on the property; being located within a Planned Development, and the Zoning Ordinance set in place at the time the property was constructed, requires a 20 foot setback when adjacent to a side street for accessory structure sharing the same roofline as the main structure. The side setback must meet the same side setbacks as the main structure. The error was not caught until October 5, 2017, when a framing inspection was done. The applicant was notified to stop work. On October 11, 2017, the applicant contacted Ms. Ollie to request permission to do work that would protect the weather elements from his home. This request was granted.

The request represents a 45% adjustment to the requirements of the Zoning Ordinance. The setback is an established building line, parallel to a property line, over which no part of a building shall project, except as otherwise provided by the zoning ordinance.

The applicant did obtain approval from his Homeowner's Association, with notation that permits were obtained from the City of Wylie. The application to the Homeowner's Association included the same drawings that were submitted to the City of Wylie.

Public comment forms were mailed to 28 property owners, and two comment forms were returned both in favor of the request.

### **Board Discussion**

Mr. Joey McMullin, 3110 Jacob Dr, Wylie, applicant for the subject property, stated that new concrete was poured on the side, but not on

the back. The estimate of cost for construction did change from \$18,000 up to \$25,000, depending upon how it is finished out, and now it could cost about \$40,000. The work on the project is being done individually and not by contractor. The structure sits about eleven feet from the fence.

### **Public Comments**

Chair Jourdan opened the Public Hearing.

Mr. Joe Jerrier, 1414 Eugene Drive, neighbor of the subject property, and the president of HOA, spoke in favor of the request stating the structure is an enhancement to the neighborhood. Mr. Jerrier further asked for clarification on accessory buildings setbacks. Ms. Ollie stated that in 2015 the Zoning Ordinance was revised due to number of variances made because of rear setbacks, not because of side yard setbacks.

Chair Jourdan closed the Public Hearing.

### **Board Action**

A motion was made by Board Member Holcomb, and seconded by Board Member Gonzalez to Grant the variance to Section 11.3 of Planned Development 1999-32 (SF-A) allowing a minimum of 20 feet side yard setback for building, property located at 3110 Jacob Drive, Lot 11, Block H of the Creekside Estates Phase 1 Addition. Motion carried 5 – 0.

### **ADJOURNMENT**

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A motion was made by Vice Chair Potts, and seconded by Board Member Finnell to adjourn the meeting at 6:52PM. All Board Members were in consensus.

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**Linda Jourdan, Chair**

**ATTEST:**

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**Mary Bradley, Administrative Assistant**

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# Wylie Zoning Board of Adjustment

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## AGENDA REPORT

Meeting Date:	<u>February 19, 2018</u>	Item Number:	<u>1</u>
Department:	<u>Planning</u>	Case Number:	<u>ZBA 2018-01</u>
Prepared By:	<u>Jasen Haskins</u>	Project Location:	<u>2001 Alanis Drive</u>
Date Prepared:	<u>February 5, 2018</u>	Subdivision Name:	<u>EC Davidson Survey</u>
		Exhibits:	<u>Location Map, Aerial, Applicant site plan and comments, and Notification List and Map</u>

### Subject

Hold a public hearing to consider and act upon a request by **Noel Torres** for a Variance to Section 4.2.A.3 of the Zoning Ordinance regarding building setbacks, property located at 2001 Alanis Drive, being Tract 18 in the EC Davidson Subdivision. **ZBA 2018-01**

### Discussion

#### Applicant: Noel Torres

#### Owner: Noel Torres

The applicant is requesting a variance to Section 4.2.A.3 of the Zoning Ordinance regulation on building setbacks that require a 10' side yard setback for commercial uses in a light industrial zoned area.

The applicant/Owner is requesting the setback be reduced to 5' from the required 10' in order to place a 3,500sqft commercial structure on the property with room for parking and landscaping.

The property is on a corner lot and is required to have a 25' setback on both street frontages. These setbacks are difficult to reduce because of the City's design standards that require visibility triangles at street intersections. Therefore, the applicant is requesting a variance to the side setback.

The reduced setback is adjacent to a property that is currently used as a Contractor's Maintenance Yard and is also zoned Light Industrial. The property to the north is a legally non-conforming residential use.

A unique circumstance may exist for this property in that, while currently zoned Light Industrial, the property was zoned as single family according to the 1991 Zoning map. Because of this previous zoning the property is only 1/3 of an acre, which is small for a commercial property.

Public comment forms were mailed to sixteen (16) property owners within 200 feet of this request, as required by State Law. At the time of this posting one response was received in favor of the request. No responses against this request.

#### The Board shall not grant a variance to the development code which:

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or

- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

**In order to grant a variance to the development code the Board shall find that all the following have been satisfied:**

- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted will not adversely affect the health, safety or welfare of the citizens of Wylie.

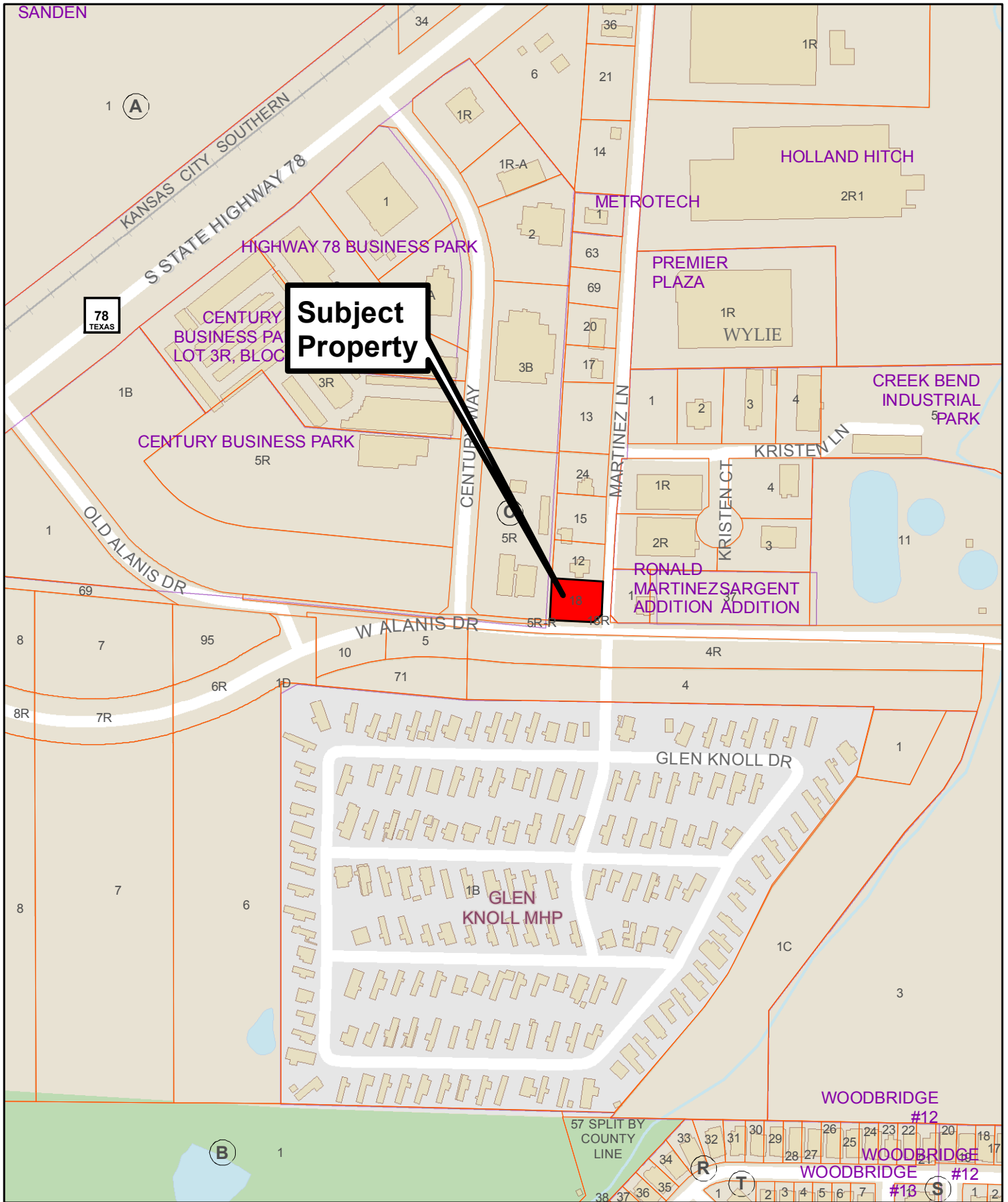
**Approved By**

**Department Director**

*Initial*  
RO

*Date*

02-14-18



**Subject  
Property**



# LOCATION MAP ZBA #2018-01



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Denotes required shade tree
- 

Denotes required flowering trees
- 

Denotes area served by subsurface irrigation or drip system

Landscape Notes:

- Landscaping Requirements: Article 7, Sect 7.7  
Landscape to comply with Article 4, Non Resd District
- All plant mats shall be native or adapted to N. TX.
  - Ornamental shade trees min 3" dia.
  - Ornamental flowering trees min 8"-10" in height.
  - Shrub containers min 5 gal. 3 gal is acceptable if shrub height is min 3'
  - Total lot = .33 ac or 14,375 sf with 135' frontage. LI required landscaping = 10% or 1,438 sf landscaping provided = 3,342 sf
  - Required trees: see recommended species list, Article 3, pg 37.
  - 1 tree/.30-40 lf frontage - 4 required  
1 flowering tree/20 lf frontage - 7 required  
Provided: 4 shade trees & 7 flowering trees

General Notes:

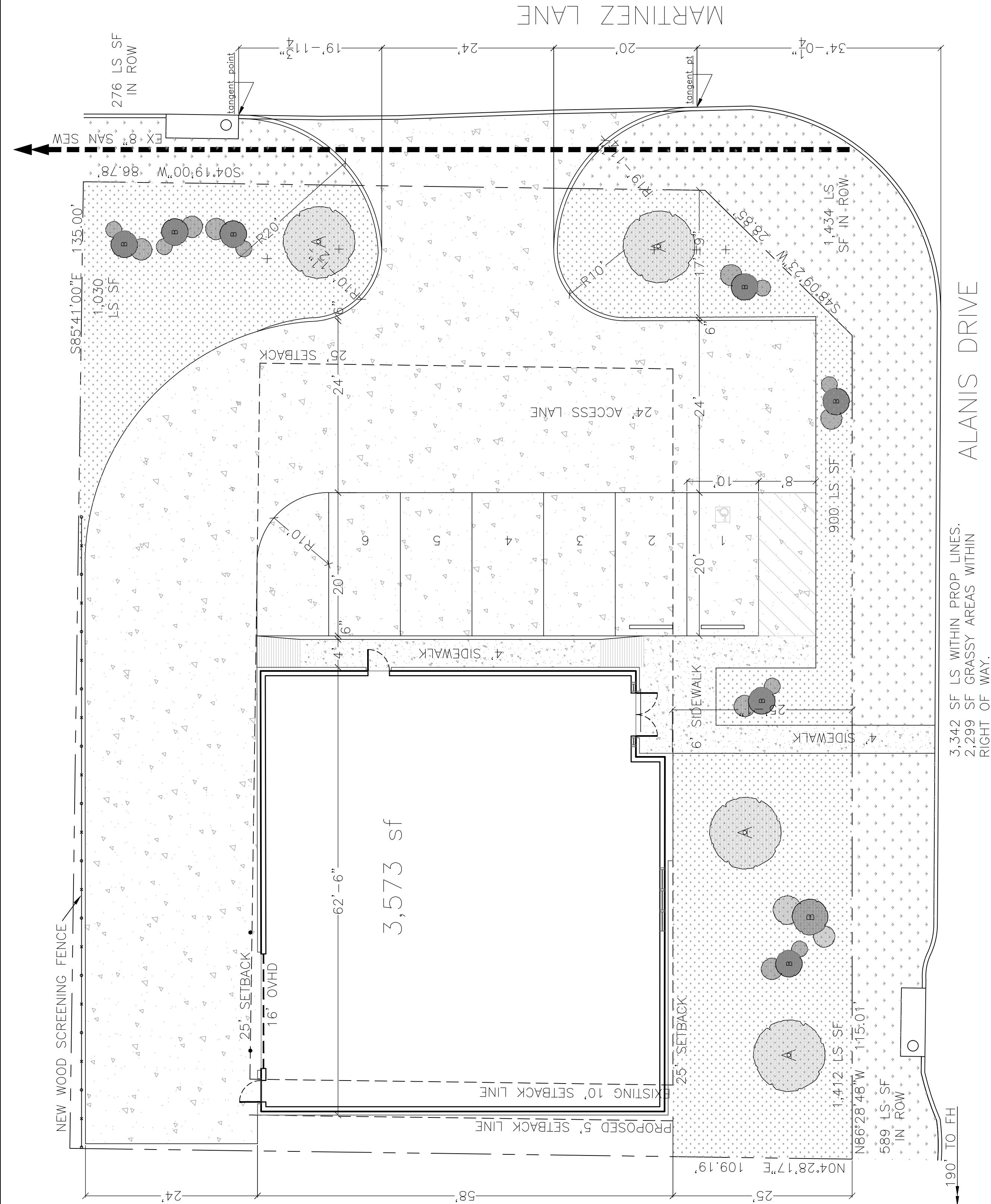
- Construction shall comply with:  
2015 International Building Code (IBC)  
2015 International Mechanical Code (IMC)  
2015 International Plumbing Code (IPC)  
2015 International Fire Code (IFC)  
2017 National Electric Code (NEC)  
2015 Intl Energy Conservation Code (IECC)  
Texas Accessibility Standards  
City of Wylie Ordinances and Amendments  
Dimensions shown are finish dimensions.  
Verify all dimensions prior to construction.  
Wall ties to be installed per IBC 2104.1.3 & 2109.6.3.1.  
The max vertical distance between ties shall not exceed 24" and the maximum horizontal distance shall not exceed 36". Additional ties shall be installed at all openings, spaced not more than 36" apart around the perimeter and within 12 inches of the opening.  
Cart style trash service provided by CWD who has confirmed said service is currently provided to the existing commercial building across the street.
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Landscaping Design Requirements

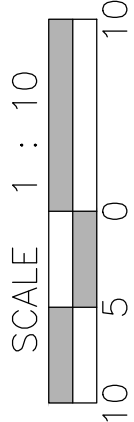
PG ELEMENT	BASE STANDARD	DESIRABLE (MUST MEET 4 OF 8)
57 LANDSCAPING IN REQUIRED YARDS	YES 1. AT LEAST 20% OF SITE SHALL BE LANDSCAPED IN NS, OR, CG, & BG DISTRICTS; 10% OF SITE IN OR & CC DISTRICTS FOR SINGLE BLDGS OF 100,000 SF OR MORE; 10% OF SITE IN LI & HI DISTRICTS. YES 2. LANDSCAPING IS REQUIRED IN THE FRONT YARD. NA 3. LANDSCAPING IS REQUIRED IN THE SIDE AND REAR YARDS ADJACENT TO, OR ACROSS THE STREET FROM RESIDENTIAL.	YES 1. LANDSCAPING THAT EXCEEDS THE MINIMUM BY 10%. NO 2. LANDSCAPING IN SIDE & REAR YARD NOT OTHERWISE REQUIRED.
LANDSCAPING OF PARKING LOTS	NA 1. SITE PLANS REQUIRING MORE THAN 12 SPACES REQUIRED TO HAVE 50 SF OF LANDSCAPING PER SPACE. YES 2. NO PARKING SPACE FURTHER THAN 60' FROM LANDSCAPED AREAS ON SITE. NA 3. PARKING ROWS 12 SPACES OR LONGER SHALL HAVE LANDSCAPED ISLANDS AT ENDS. NA 4. ALL PARKING ROWS SHALL HAVE LANDSCAPED AREAS AT LEAST EVERY 12 SPACES.	YES 1. LANDSCAPING 10% OR MORE IN EXCESS OF 50 SF/SPACE. YES 2. PARKING LOTS WITH NO SPACE FURTHER THAN 40 FEET FROM A LANDSCAPED AREA. YES 3. LANDSCAPED PEDESTRIAN CONNECTION TO MAIN ENTRANCE.
VISUAL SCREENING	NA 1. REQUIRED SCREENING IN STRIP AT LEAST 5' WIDE PLANTS 3' IN HEIGHT WHEN PLANTED, INCLUDE ONE FLOWERING TREE FOR EVERY 20 LINEAR FEET OF AREA.	
LANDSCAPING OF STREET FRONTS	YES 1. AT LEAST 50% OF REQUIRED FRONT YARD DEVELOPED AS LANDSCAPED BUFFER AT LEAST 10' IN WIDTH. YES 2. TREES REQUIRED IN BUFFER, IN GROVES OR BELTS ON A 30' - 40' SPACING. YES 3. REQUIRED TREES AT LEAST 3" IN CALIPER. NA 4. AT LEAST 4' MEANDERING CONCRETE WALKWAY ON PERIMETER WHEN ADJACENT TO THOROUGHFARE.	NO 1. USE OF ROCK WALLS OR OTHER NATURAL LANDSCAPE FEATURES. NO 2. INCREASE IN MIN WIDTH OF LANDSCAPE BUFFER BY 20%. NO 3. PROVISION OF SPECIAL BENCHES, PEDESTRIAN LIGHTING, OTHER STREETSCAPE ELEMENTS.

Site Design Requirements

PG ELEMENT	BASE STANDARD	DESIRABLE (MUST MEET 4 OF 8)
56 BLDG PLACEMENT	YES 1. ENTRANCES AND/OR FACADES ORIENTED TO THE STREET. NA 2. BLDG FOOTPRINTS NO GREATER THAN 20,000 SF IN NS & OR DISTRICTS. NA 3. SINGLE BLDGS PLACED TO CREATE PLAZAS, COURTYARDS, LANDSCAPED AREAS WITH CONNECTING WALKWAYS.	YES 1. BLDG AT FRONT YARD LINE. YES 2. INDIVIDUAL BUILDINGS W/FOOTPRINTS = < 10,000 SF. YES 3. FRONT FACADE ORIENTED TO THE STREET.
PARKING ACCESS DRIVES	YES 1. PARKING SPACES AT LEAST 10' FROM RESIDENTIAL LOT LINE. Y/N 1. MINIMUM WIDTH DRIVE OF 24' (24' drive & R20) NO 2. ACCESS DRIVE AT LEAST 150' FROM INTERSECTION. NA 3. ACCESS DRIVES SERVING DEVELOPMENTS GREATER THAN 30,000 SF SHALL HAVE SEPARATED MEDIAN, OR BE SEPARATED AT LEAST 150' FROM EACH OTHER. YES 4. LANDSCAPED TREATMENT OF ENTRANCES.	YES 1. SITE PLAN WITH NO PARKING IN FRONT OF THE BLDG. YES 2. BLDG WITH NO MORE THAN ONE ROW PARKING IN FRONT. NO 1. COMBINED ACCESS POINTS WITH ADJACENT TRACTS. YES 2. DIRECT CONNECTION BETWEEN BLDGS & STREET.
LOCATION OF SVC & LOADING AREAS	YES 1. SVC & LOADING AREAS SHALL NOT BE VISIBLE FROM A PUBLIC STREET OR ADJACENT RESD LOT.(Wood screening fence provided.) NA 2. DEVELOPMENTS UNABLE TO MEET THE ABOVE ARE REQUIRED TO HAVE MASONRY SCREENING WALLS W/GATES.	NO A. NOT VISIBLE FROM PUBLIC STREET BUT PROVIDE MASONRY SCREENING. (Bin service approved by CWD.)



Site & Landscape Plan



Site Data Summary:

**SYNOPSIS:**  
GROUND UP CONSTRUCTION OF A NEW 3,573 SF (footprint) SINGLE-STORY BUILDING ON A 14.045 SF (0.33 AC) LOT LOCATED AT 2001 ALANIS DRIVE, CITY OF WYLIE, COLLIN COUNTY, STATE OF TEXAS 75098.

**SITE DESIGN:**  
BRYAN D. ROGERS, BETTER DESIGN RESOURCES  
P.O. BOX 1454, WYLIE, TX 75098  
214-773-6460

**CIVIL ENGINEERING:**  
CARTER CLARK, P.E., CLARK ENGINEERING  
113 CLAUDE AVE, CLEBURNE, TX 76013  
PH: 903-880-1937

**REGISTERED PROFESSIONAL LAND SURVEYOR:**  
JOHN GLAS, R.P.L.S., GLAS SURVEYING  
2114 FM 1563, WOLFE CITY, TX 75496  
PH: 903-496-2084

**ZONED:** LI - LIGHT INDUSTRIAL

**PROPOSED USE:**

OFFICE SHOWROOM/WAREHOUSE

**PARKING REQUIREMENTS:**  
3,573 SF @ 1:750 = 5 (4.76) REQD PARKING SPACES, INCLUDING 1 HC SPACE.

2001 ALANIS DRIVE

**OWNER / APPLICANT:**  
NOEL TORRES, THE TILE GALLERY  
115 N. BALLARD ST.  
WYLIE, TX 75098  
PH: 972-567-6571

**SITE DESIGN:**  
BRYAN ROGERS, BETTER DESIGN RESOURCES LLC  
P.O. BOX 1454, WYLIE, TX 75098  
PH: 214-773-6460 FAX: 972-429-0224

**SHEET**  
**C1**  
**OF**

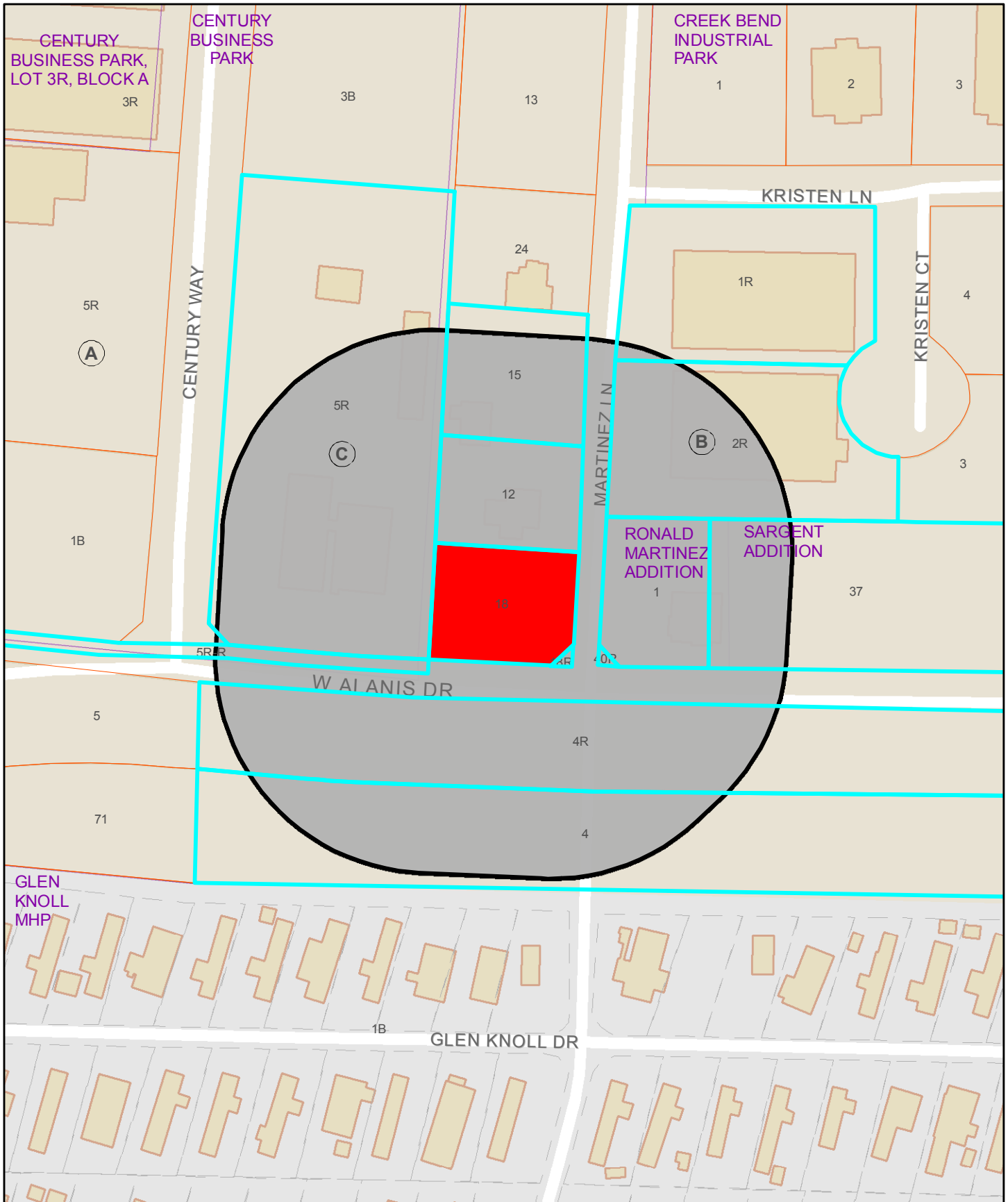
**DRAWING REV:**  
**FOR:**  
**ZBOX:**

**DRAWN BY:**  
Bryan D. Rogers

**DATE:**  
12-29-2017







# OWNER NOTIFICATION MAP

## ZBA #2018-01



Map Date: 1/18/2018

PROPERTY ID X-REF/GEO ID	OWNER NAME	DOING BUSINESS AS	OWNER ADDRESS 1	OWNER ADDRESS 2	OWNER C	OWNER STATE	OWNER ZIP	abs_subd_1	abs_subd_1	BLOCK	TRACT OR LOT	LEGAL DESCRIPTION	LEGAL DESCRIPTION 2	SITE NUMBER	SITE STREET	SITE CITY	SITE ZIP CODE	SITE DISPLAY
424758[R-6267-000-0120-1	ORTIZ STEPHEN			1702 MARTINEZ LN	WYLLIE TX	75098-4030	40267	C0267	E C DAVIDSON SURVEY	12		ABS A0267 E C DAVIDSON SURVEY, TRACT 12, .18 ACRES		1702	MARTINEZ	WYLLIE LN	WYLLIE, TX 75098	1702 MARTINEZ LN WYLLIE, TX 75098
424781[R-6267-000-0150-1	LOPEZ BELINDA			1702 MARTINEZ LN	WYLLIE TX	75098-4030	40267	C0267	E C DAVIDSON SURVEY	15		ABS A0267 E C DAVIDSON SURVEY, TRACT 15, .44 ACRES			MARTINEZ	WYLLIE LN	WYLLIE, TX 75098	MARTINEZ LN WYLLIE, TX 75098
117158[R-6267-000-0370-1	MIKTEN INC	NORTH TEXAS CUSTOMS BODY WORKS		PO BOX 310	LAVON TX	75166-0310	40267	C0267	E C DAVIDSON SURVEY	37		ABS A0267 E C DAVIDSON SURVEY, TRACT 37, 1.352 ACRES		1001	ALANIS	DR	WYLLIE, TX 75098	1001 ALANIS DR WYLLIE, TX 75098
2091441[R-1675-008-001R-1	BEDROCK ENTERPRISES LTD	AMICHEL COMMUNICATIONS/A MICHEL RED PROPERTY		PO BOX 5835	AUSTIN TX	78763-3835	51675	5722	CREEK BEND INDUSTRIAL PARK (CWY)	1R		CREEK BEND INDUSTRIAL PARK (CWY), BLK B, LOT 1R		101	KRISTEN	CT	WYLLIE, TX 75098	101 KRISTEN CT WYLLIE, TX 75098
2091442[R-1675-008-002R-1	ROBINSON ASSET MANAGEMENT INC			2800 CAPITAL ST	WYLLIE TX	75098-7002	51675	5722	CREEK BEND INDUSTRIAL PARK (CWY)	2R		CREEK BEND INDUSTRIAL PARK (CWY), BLK B, LOT 2R		1703	MARTINEZ	LN	WYLLIE, TX 75098	1703 MARTINEZ LN WYLLIE, TX 75098
2529198[R-2103-00C-005R-1	TEXAS PRIME PROPERTIES LP	TEXAS EROSION SUPPLY		1327 CENTURY WAY	WYLLIE TX	75098-4072	52103	2715-2	CENTURY BUSINESS PARK (CWY)	C	5R	CENTURY BUSINESS PARK (CWY), BLK C, LOT 5R		1327	CENTURY	WAY	WYLLIE, TX 75098	1327 CENTURY WAY WYLLIE, TX 75098
2529198[R-2103-00C-058R-1	WYLLIE CITY OF			300 COUNTRY CLUB DR BLDG 100	WYLLIE TX	75098-3000	52103	2715-2	CENTURY BUSINESS PARK (CWY)	C	5R-R	CENTURY BUSINESS PARK (CWY), BLK C, LOT 5R-R; ROW	ROW		"ROW"		WYLLIE, TX 75098	WYLLIE, TX 75098
254294[R-6267-000-0180-1	TILE GALLERY LLC THE			115 N BALLARD AVE	WYLLIE TX	75098-4488	40267	C0267	E C DAVIDSON SURVEY	18		ABS A0267 E C DAVIDSON SURVEY, TRACT 18, .33 ACRES				WYLLIE	WYLLIE, TX 75098	WYLLIE, TX 75098
2542941[R-6267-000-018R-1	WYLLIE CITY OF			300 COUNTRY CLUB DR BLDG 100	WYLLIE TX	75098-3000	40267	C0267	E C DAVIDSON SURVEY	18R		ABS A0267 E C DAVIDSON SURVEY, TRACT 18R, .028 ACRES; ROW	ROW			WYLLIE	WYLLIE, TX 75098	WYLLIE, TX 75098
2542943[R-6267-000-040R-1	WYLLIE CITY OF			300 COUNTRY CLUB DR BLDG 100	WYLLIE TX	75098-3000	40267	C0267	E C DAVIDSON SURVEY	40R		ABS A0267 E C DAVIDSON SURVEY, TRACT 40R, .005 ACRES; ROW	ROW			WYLLIE	WYLLIE, TX 75098	WYLLIE, TX 75098
2588881[R-6660-000-0040-1	ST JOHN MELVIN K ET AL			PO BOX 478	LAVON TX	75166-0478	40660	C0660	R D NEWMAN SURVEY	4		ABS A0660 R D NEWMAN SURVEY, TRACT 4, 3.653 ACRES			ALANIS	DR	WYLLIE, TX 75098	ALANIS DR WYLLIE, TX 75098
2588882[R-6660-000-004R-1	WYLLIE CITY OF			300 COUNTRY CLUB DR BLDG 100	WYLLIE TX	75098-3000	40660	C0660	R D NEWMAN SURVEY	4R		ABS A0660 R D NEWMAN SURVEY, TRACT 4R, 2.468 ACRES; ALANIS RD ROW	ALANIS RD ROW		ALANIS	DR	WYLLIE, TX 75098	ALANIS DR WYLLIE, TX 75098
2675647[R-10154-004-0010-1	BLAIEN SARAH &	TEXAS TIMBER WOLF	WOLF GANG BLAIEN	1424 CROSS BEND RD	PLANO TX	75023-0713	510154	10154	RONALD MARTINEZ ADDITION (CWY)	A	1	RONALD MARTINEZ ADDITION (CWY), BLK A, LOT 1		1009	ALANIS	DR	WYLLIE, TX 75098	1009 W ALANIS DR WYLLIE, TX 75098

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# Wylie Zoning Board of Adjustment

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## AGENDA REPORT

Meeting Date:	February 19, 2018	Item Number:	2
Department:	Planning	Case Number:	2018-02
Prepared By:	Kevin Molina	Project Location:	1213 Braddock Way
Date Prepared:	February 05, 2018	Subdivision Name:	Braddock Place Phase I
		Exhibits:	Location Map, Site Layout, Statement from Applicant, Notification List and Map with Responses

### Subject

Hold a public hearing to consider and act upon a request from **Steve Gullickson** for a variance to Section 4.2.8 of PD 2005-24, to change the side setback from 10' to 7' to allow for the placement of an attached unenclosed carport on a property located at 1213 Braddock Way, Lot 4 Block A of the Braddock Place Phase I addition.  
**ZBA 2018-02**

### Discussion

The subject property is located at 1213 Braddock way and is currently zoned under Planned Development 2005-24.

The applicant is requesting a variance to the development standards side setback requirement of 10' to be changed to 7' to allow for the placement of an attached unenclosed carport. In accordance with Ordinance 2005-24, Section IV. 3 only a single garage door may face the street. At no time may the carport become an enclosed garage unless the Planned Development is amended through the adoption of an ordinance.

The applicant is requesting the 7' side yard setback to allow for the placement of the carport for additional covered parking. The homeowner has received approval from the homeowners association for this addition.

Public comment forms were mailed to 13 property owners within 200 feet of this request, as required by State Law. At the time of this posting, one response was received in favor of the request.

#### **The Board shall not grant a variance to the development code which:**

- (1) Permits a land use not allowed in the zoning district in which the property is located; or
- (2) Is in the public right-of-way or on public property; or
- (3) Alters any definition of the development code; or
- (4) Is other than the minimum variance that will afford relief with the least modification possible to the requirements of the development code; or
- (5) Is based on physical conditions or circumstances of the property so general or recurring in nature as to reasonably make practicable the formulation of a general regulation to be adopted as an amendment to the development code; or
- (6) Is based exclusively on findings of personal or financial hardship.

**In order to grant a variance to the development code the Board shall find that all the following have been satisfied:**

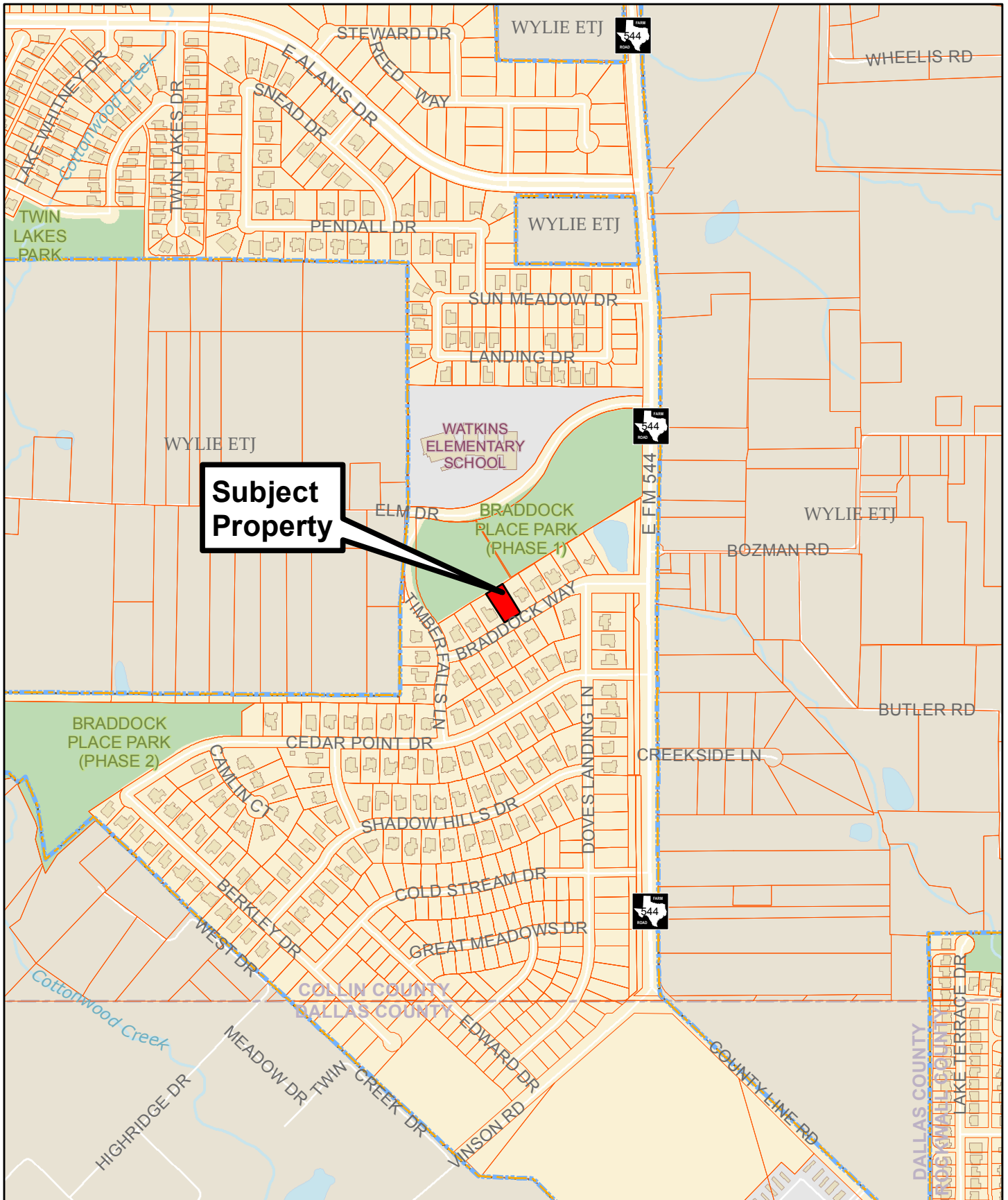
- (1) That there are unique physical circumstances or conditions of the lot, or other exceptional physical condition particular to the affected property;
- (2) That because of these unique physical circumstances or conditions, the property cannot be reasonably developed or used in compliance with the provisions of the development code;
- (3) That due to such unique physical circumstances or conditions, the strict application of the development code would create a demonstrated hardship;
- (4) That the demonstrable hardship is not self-imposed;
- (5) That the variance if granted will not adversely affect the proposed development or use of adjacent property or neighborhood;
- (6) That the variance, if granted will not change the character of the zoning district in which the property is located;
- (7) That the variance, if granted is in keeping with the intent of the development code; and
- (8) That the variance, if granted will not adversely affect the health, safety or welfare of the citizens of Wylie.

**Approved By**

**Department Director**

*Initial*  
RO

*Date*  
02-14-18



## LOCATION MAP ZBA #2018-02

Map Date: 1/18/2018

12'X18' ROOF  
CONNECTED  
2 POST CEDAR  
TONGUE AND  
ELECTRIC RAIL  
OWNER SUPPLY

Gr. 61n

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**BENCHMARK IS 2" BELOW THRESH HOLD  
CAP EXISTING PATIO**

**ADD (1) 110 OUTLET IN CEILING**

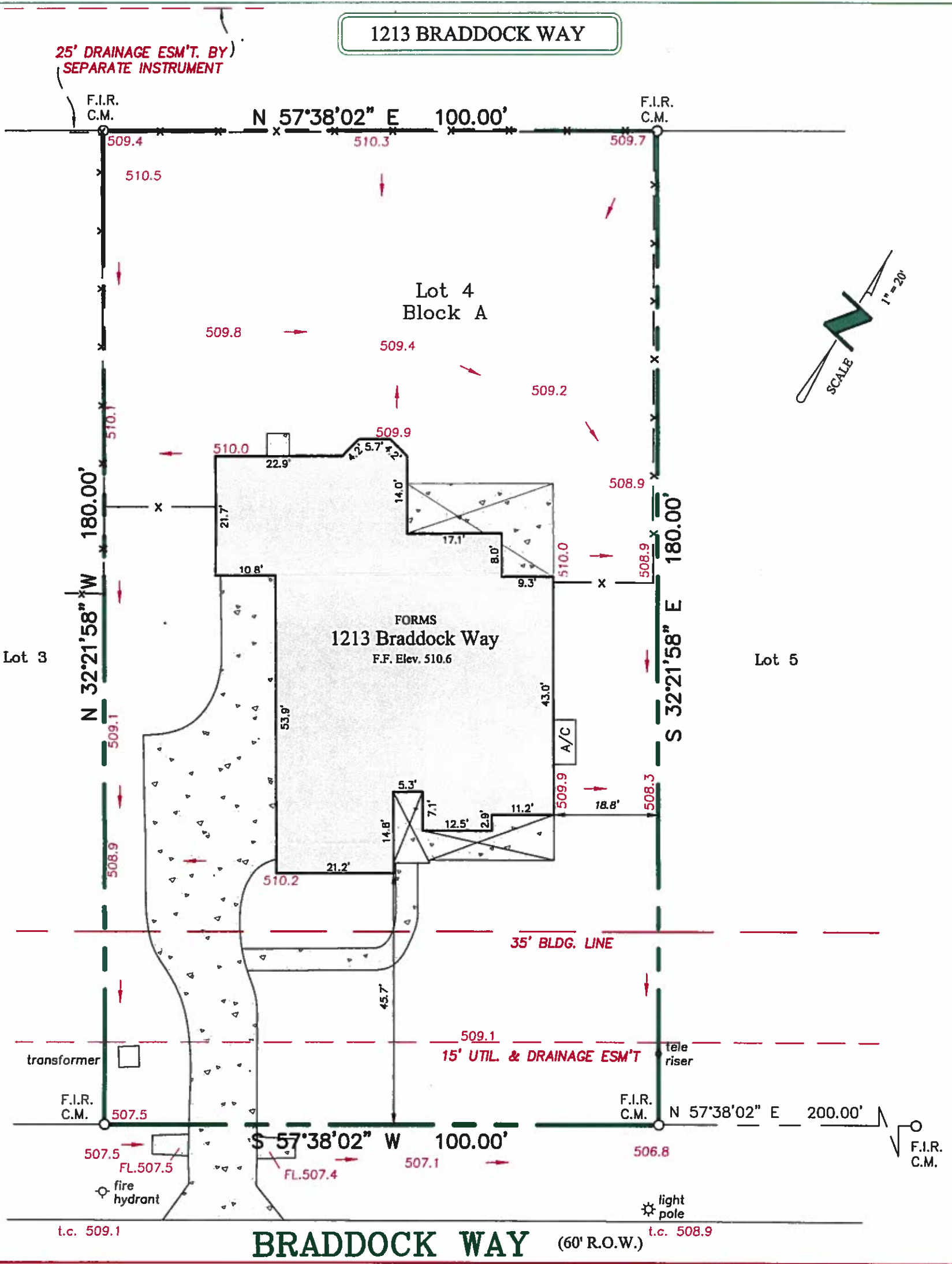
ADD (1) 110 OUTLET ON BRICK  
COLUMN ABOVE BARTOP

**EXISTING DRIVEWAY**

**ADD BRUSHED CONCRETE TO  
EXTEND DRIVEWAY**



(Original)



**PROPERTY DESCRIPTION:** Lot 4, Block A of BRADDOCK PLACE, PHASE I, an addition to the City of Wylie, Collin County, Texas, according to the Plat thereof recorded in Volume 2007, Page 596, Map Records, Collin County, Texas.

The undersigned have/has received and reviewed a copy of this survey.

*SPW*

Date: *3-26-12*

Date:	12/12/2011
ASC No.	F110764
Drawn/Chk	d.m. /
Client	FIRST TEXAS HOMES
G.F. No.	11-128260-PR

**LEGEND -** C.M.= Controlling Monument; F.I.R.= Found Iron Rod; F.I.P.= Found Iron Pipe; F.C.P.= Fence Corner Post. OHE=Overhead Electric. S.I.R.= Set Iron Rods 1/2" diameter with yellow cap stamped "Arthur Surveying Company". All found iron rods are 1/2" diameter unless otherwise noted. — x — (fence/ 1/2" post) — OHE — (overhead power)

**FLOOD NOTE:** It is my opinion that the property described hereon is not within the 100-year flood zone area according to the Federal Emergency Management Agency Flood Insurance Rate Map Community-Panel No. 480759 0535 J, present Effective Date of map June 2, 2009, herein property situated within Zone "X" (Unshaded).

**SURVEYORS CERTIFICATION:**  
The undersigned does hereby certify that this survey was this day made on the ground of the property legally described hereon and is correct, and to the best of my knowledge, there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or rights of way that I have been advised of except as shown hereon. The bearings shown hereon are based on the above referenced recorded map or plat unless otherwise noted.

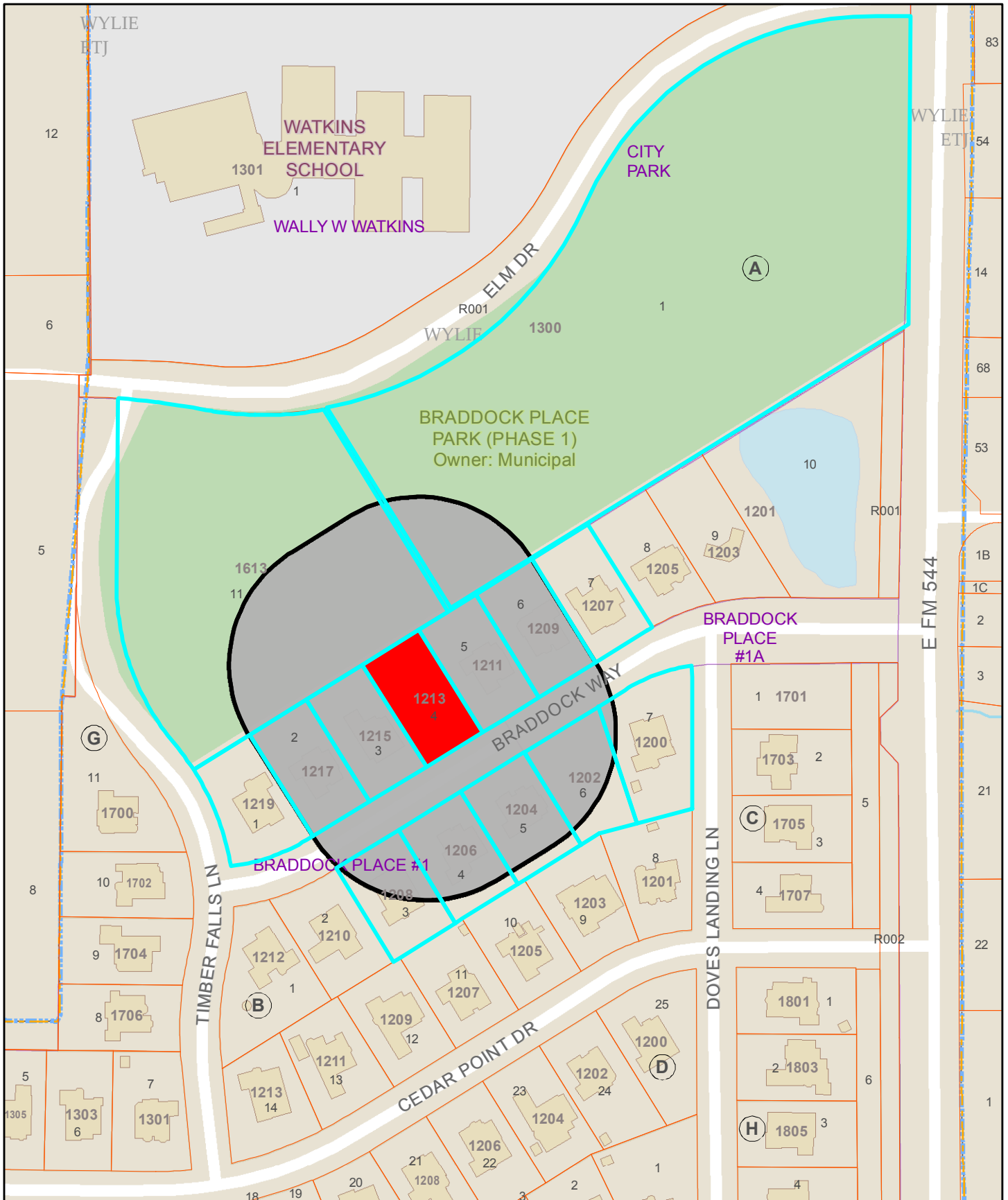
**Arthur Surveying Co., Inc.**  
Professional Land Surveyors  
P.O. Box 54 ~ Lewisville, Texas 75067  
Office: (972) 221-9439 Fax: (972) 221-4875  
Established 1986



**FIRST TEXAS  
HOMES**







# **OWNER NOTIFICATION MAP** **ZBA #2018-02**

Map Date: 1/18/2018

PROPERTY ID	X_REF/GEO ID	OWNER NAME	OWNER NAME 2	OWNER ADDRESS	OWNER CITY	OWNER STATE	OWNER ZIP	SUBDIVISION NAME	BLOCK	LOT/TRACT	LEGAL DESCRIPTION	LEGAL DESCRIPTION 2	SITE ADDRESS
2629299	R-9402-00B-0060-1	MCMAHON STEVEN & NORA		1202 BRADDOCK WAY	WYLIE	TX	75098-4005	BRADDOCK PLACE PHASE 1A (CWY)	B	6	BRADDOCK PLACE PHASE 1A (CWY), BLK B, LOT 6		1202 BRADDOCK WAY WYLIE, TX 75098
2629300	R-9402-00B-0070-1	ALFORD GEORGE RAY & TRACEY AN ETHEREDGE- ALFORD		1200 BRADDOCK WAY	WYLIE	TX	75098-4005	BRADDOCK PLACE PHASE 1A (CWY)	B	7	BRADDOCK PLACE PHASE 1A (CWY), BLK B, LOT 7		1200 BRADDOCK WAY WYLIE, TX 75098
2633280	R-9481-00A-0010-1	RADOWICK ROBERT A & KATHERINE L		1219 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	1	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 1		1219 BRADDOCK WAY WYLIE, TX 75098
2633290	R-9481-00A-0020-1	PINKERTON TIMOTHY SHANE		1217 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	2	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 2		1217 BRADDOCK WAY WYLIE, TX 75098
2633291	R-9481-00A-0030-1	PHILLIPS AARON W &	MARISOL VILLEGAS VELAZQUEZ	1215 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	3	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 3		1215 BRADDOCK WAY WYLIE, TX 75098
2633292	R-9481-00A-0040-1	GULLICKSON STEVEN THOMAS & HEATHER LYNN		1213 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	4	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 4		1213 BRADDOCK WAY WYLIE, TX 75098
2633293	R-9481-00A-0050-1	ORTIZ RIZALITO JR		1211 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	5	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 5		1211 BRADDOCK WAY WYLIE, TX 75098
2633294	R-9481-00A-0060-1	MITCHELL JASON E & HONG N		1209 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	6	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 6		1209 BRADDOCK WAY WYLIE, TX 75098
2633295	R-9481-00A-0070-1	BYERS BO W & JACLYN P		1207 BRADDOCK WAY	WYLIE	TX	75098-4003	BRADDOCK PLACE PHASE I (CWY)	A	7	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 7		1207 BRADDOCK WAY WYLIE, TX 75098
2633299	R-9481-00A-0110-1	WYLIE CITY OF		300 COUNTRY CLUB DR BLDG 100	WYLIE	TX	75098-3000	BRADDOCK PLACE PHASE I (CWY)	A	11	BRADDOCK PLACE PHASE I (CWY), BLK A, LOT 11; PARK PARK		1613 TIMBER FALLS LN WYLIE, TX 75098
2633301	R-9481-00B-0030-1	GROSSWILER JACOB		1208 BRADDOCK WAY	WYLIE	TX	75098-4005	BRADDOCK PLACE PHASE I (CWY)	B	3	BRADDOCK PLACE PHASE I (CWY), BLK B, LOT 3		1208 BRADDOCK WAY WYLIE, TX 75098
2633302	R-9481-00B-0040-1	WHITESSELL JILL LYNN &	BRYAN WHITESSELL	1206 BRADDOCK WAY	WYLIE	TX	75098-4005	BRADDOCK PLACE PHASE I (CWY)	B	4	BRADDOCK PLACE PHASE I (CWY), BLK B, LOT 4		1206 BRADDOCK WAY WYLIE, TX 75098
2633303	R-9481-00B-0050-1	PHILO DEVRON		1204 BRADDOCK WAY	WYLIE	TX	75098-4005	BRADDOCK PLACE PHASE I (CWY)	B	5	BRADDOCK PLACE PHASE I (CWY), BLK B, LOT 5		1204 BRADDOCK WAY WYLIE, TX 75098
2712154	R-10678-00A-0010-1	WYLIE CITY OF		300 COUNTRY CLUB DR BLDG 100	WYLIE	TX	75098-3000	CITY PARK (CWY)	A	1	CITY PARK (CWY), BLK A, LOT 1		1300 ELM DR WYLIE, TX 75098



**PUBLIC COMMENT FORM**

*(Please type or use black ink)*

Planning Department  
300 Country Club Road  
Building 100  
Wylie, Texas 75098

X

I am **FOR** the requested variance as explained on the attached public notice for ZBA Case #2018-02.

I am **AGAINST** the requested variance as explained on the attached public notice for ZBA Case #2018-02.

Date, Location & Time of  
Planning & Zoning  
Commission meeting:

Monday, February 19, 2018, 6:30 pm  
Municipal Complex, 300 Country Club Road, Building 100, Wylie, Texas

Name: JASON MITCHELL  
(please print)

Address: 1209 BRADDOCK WAY

Signature: 

Date: 2/3/18

**COMMENTS:**

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